

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ELITE PHYSICIAN SERVICES LLC, :

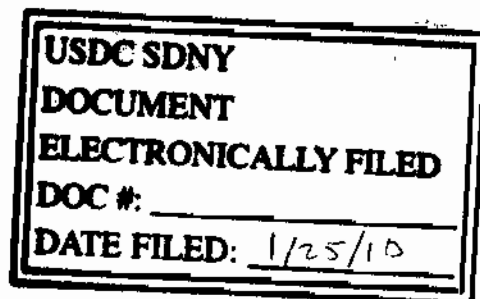
Plaintiff, :

-v.- :

CITICORP PAYMENT SERVICES INC., :

Defendant. :

-----X



ORDER

06 Civ. 2447 (BSJ) (GWG)

GABRIEL W. GORENSTEIN, UNITED STATES MAGISTRATE JUDGE

The Court is in receipt of a letter dated January 20, 2010 from plaintiff outlining certain discovery disputes. The Court finds it strange that plaintiff waited six weeks following the required conference before seeking court intervention. Additionally, the letter fails to comply with paragraph 2.A. of this Court's Individual Practices inasmuch as it does not state defendant's "position as to each issue being raised" as stated by the defendant during the required conference.

Accordingly, the Court directs plaintiff's counsel to hold a new in-person or telephonic conference in an attempt to resolve and/or narrow the disputes raised in the letter. If this effort is unsuccessful, the pre-motion conference is waived. Plaintiff shall file its motion promptly after the conference. Briefing shall be in accordance with paragraph 2.B of this Court's Individual Practices.

SO ORDERED.

Dated: New York, New York
January 25, 2010


GABRIEL W. GORENSTEIN
United States Magistrate Judge